

LAW OFFICES OF GIBSON DUNN &amp; CRUTCHFIELD LLP 31 MAR 2005

PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007, OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		<b>ATTORNEY'S DOCKET NUMBER</b> <b>344/1/112</b>
		<b>U.S. APPLICATION NO. (If known, see 37 CFR 1.5)</b>
INTERNATIONAL APPLICATION NO. <b>PCT/EP2004/009763</b>	INTERNATIONAL FILING DATE <b>September 2, 2004</b>	PRIORITY DATE CLAIMED <b>September 23, 2003</b>
TITLE OF INVENTION <b>AZIMUTH BRAKE FOR WIND POWER SYSTEMS</b>		
APPLICANT(S) FOR DO/EO/US <b>Gabor-Josef AGARDY et al</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))           <ul style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ul> </p> <p>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).           <ul style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ul> </p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))           <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ul> </p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
Items 11 to 20 below concern document(s) or information included:		
<p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. , one form PTO/SB/08A &amp; 4 references</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment.</p> <p>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p>		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

AP20 RO/EP/ISA/210/237/IB/301/304/308 09/12/2006

PTO-1390 (Rev. 07-2005)

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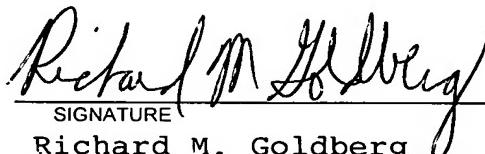
U.S. APPLICATION NO. (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
<i>10/12/06 (2)</i>		PCT/EP2004/009763		344/1/112	
20. Other items or information: <b>PCT/RO/101; PCT/RO/105; PCT/ISA/210; PCT/ISA/237; PCT/IB/301; PCT/IB/304 ; PCT/IB/308 (first); PCT/IB/308 (second)</b>					
The following fees have been submitted				CALCULATIONS	PTO USE ONLY
21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a)).....				\$ 300	
22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c))  If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0 All other situations..... \$200				\$ 200	
23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b))  If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400 All other situations..... \$500				\$ 400	
<b>TOTAL OF 21, 22 and 23 =</b>				<b>900</b>	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250	\$	
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	10 - 20 =	0	x \$ 50	\$ 0	
Independent claims	1 - 3 =	0	x \$200	\$ 0	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				\$ 0	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$ 900</b>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½.					
<b>SUBTOTAL =</b>				<b>\$ 900</b>	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	
<b>TOTAL NATIONAL FEE =</b>				<b>\$ 900</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
<b>TOTAL FEES ENCLOSED =</b>				<b>\$ 900</b>	
				Amount to be refunded:	\$
				Amount to be charged	\$ 900

- a.  A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.
- b.  Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1524A duplicate copy of this sheet is enclosed.
- d.  Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Richard M. Goldberg  
25 East Salem Street  
Suite 419  
Hackensack, NJ 07601  
(201) 343-7775



SIGNATURE

Richard M. Goldberg

NAME

28,215

REGISTRATION NUMBER

APR 2006  
U.S. PATENT & TRADEMARK OFFICE  
Law Offices of  
**RICHARD M. GOLDBERG**

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MEMBER NEW JERSEY AND  
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March 21, 2006

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: Entering National Stage in  
PCT Application No. PCT/EP2004/009763  
Applicants: Gabor-Josef AGARDY et al  
Title : AZIMUTH BRAKE FOR WIND POWER  
SYSTEMS  
My File : 344/1/112

Certificate of Mailing By Express Mail Under 37 CFR 1.10

Express Mail "Mailing Label No.": ED 338105896 US

Date of Deposit : MARCH 21, 2006

I hereby certify that this paper and/or fee is being deposited with  
the United States Postal Service "Express Mail Post Office to  
Addressee" service under 37 C.F.R. 1.10 on the date indicated above  
and is addressed to the Mail Stop PCT, COMMISSIONER FOR PATENTS,  
P.O. Box 1450, Alexandria, VA 22313-1450 on MARCH 21, 2006.

Richard M. Goldberg  
(Name of Registered Representative  
and person mailing)

Richard M. Goldberg March 21,  
(Signature and Date) 2006

Dear Sirs:

Transmitted herewith for filing in the U.S. Patent and  
Trademark Office (entering the national phase in a PCT  
application (PCT/EP2004/009763) (WO 2005/038286) is a new  
application including:

- a) Form PTO-1390 (in duplicate), with authorization to  
charge \$900.00 to credit card, along with Credit Card  
Payment Form (PTO-2038) - The fee includes the large  
entity rate for basic national fee (\$300), examination  
fee (\$200), and search fee (\$400);

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March 21, 2006  
Page 2

- b) Form PCT/IB/308 (First Notice) (mailed May 6, 2005) entitled FIRST NOTICE INFORMING THE APPLICANT OF THE COMMUNICATION OF THE INTERNATIONAL APPLICATION (TO DESIGNATED OFFICES WHICH DO NOT APPLY THE 30 MONTH TIME LIMIT UNDER ARTICLE 22(1)) - 1 page;
- c) Form PCT/IB/308 (Second and Supplementary Notice) (mailed January 26, 2006, entitled SECOND AND SUPPLEMENTARY NOTICE INFORMING THE APPLICANT OF THE COMMUNICATION OF THE INTERNATIONAL APPLICATION (TO DESIGNATED OFFICES WHICH APPLY THE 30 MONTH TIME LIMIT UNDER ARTICLE 22(1)) - 1 page;
- d) Original filed International application in the German language, including seven (7) pages and further including two front pages of published PCT application and one sheet of formal drawing;
- e) English-language translation of original filed German application, which is an accurate translation of the original German language PCT application;
- f) Application Data Sheet;
- g) Executed Declaration and Power of Attorney;
- h) Form PCT/RO/101 - Request, as originally filed in German;
- i) Form PCT/RO/105 - Mitteilung Des Internationalen Aktenzeichens Und Des Internationalen Anmeldedatums in German;
- j) Form PCT/ISA/210 - International Search Report (in German) performed by European Patent Office and English-language translation thereof;
- k) Form PCT/ISA/237 - (in German) Written Communication of the International Search Authority;
- l) Form PCT/IB/301 - Notification of Receipt of Record Copy;

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**RICHARD M. GOLDBERG**

Commissioner for Patents  
March 21, 2006  
Page 3

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- m) Form PCT/IB/304 - Notification Concerning Submission or Transmittal of Priority Document;
- n) Information Disclosure Statement, one form PTO/SB/08A and four references; and
- o) Preliminary Amendment in which only the claims have been amended.

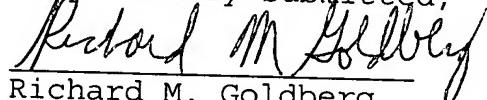
**APPLICANTS DO NOT QUALIFY FOR SMALL ENTITY STATUS.**

It is respectfully requested that the above-identified PCT application be granted a filing date within the March 23, 2006 convention term (30 months), based on German Application No. 203 14 822.3, filed September 23, 2003, and PCT Application No. PCT/EP2004/009763, filed September 2, 2004.

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by check attached hereto, authorization to charge the extension fee, or any other fee required in connection with this Paper, to Account No. 07-1524.

The Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1524.

Respectfully submitted,

  
Richard M. Goldberg  
Registration No. 28,215  
Attorney for Applicants

RMG:mz  
enclosures

Law Offices of

**RICHARD M. GOLDBERG**